

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE OF PAGES 1   3	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 03-Apr-2002		4. REQUISITION/PURCHASE REQ. NO. W16ROE-2007-5127		5. PROJECT NO.(If applicable)	
6. ISSUED BY CONTRACTING DIVISION US ARMY CORPS OF ENG, NYD ATTN: CENANCT, ROOM 1843 26 FEDERAL PLAZA NEW YORK NY 10278		CODE DACA51		7. ADMINISTERED BY (If other than item 6)  <b>See Item 6</b>		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. DACW51-02-B-0003	
				X		9B. DATED (SEE ITEM 11) 13-Mar-2002	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended.  Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>  1  </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A.THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B.THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C.THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D.OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  This amendment is necessary in order to make changes/clarifications to the original solicitation. Standard From 1442, block 10 of the original solicitation should have read advertising date as 15 March 02 and bid opening date as 15 April 02. Contract Clause 52.211-12, Liquidated Damages, shall be changed from \$1,370.00 to \$1,435.00. The attached wage rates (section 00900-B) shall supercede wage rates in section B of the original solicitation. Section 1200, paragraph 8.1 a HARS distance shall be changed from 21.40 nautical miles to 34 nautical miles. Section 00900 D, Permit, New York Water Quality Certificate is included.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				BY _____ (Signature of Contracting Officer)		03-Apr-2002	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

Changes in Section SF 30

Bidders must acknowledge receipt of this amendment by the date specified in the solicitation (or as amended) by one of the following methods: In the space provided on the SF 1442, by separate letter, or by telegram or by signing block 15 below. **FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATION OF BIDS, OR LATE WITHDRAWAL OF BIDS (FAR 14.304).**

Bid opening date scheduled for 15 April 2002, 11:00 A.M., local time, remains unchanged.

252.225-7031	Secondary Arab Boycott Of Israel	JUN 1992
252.226-7001	Utilization of Indian Organizations and Indian-Owned Economic Enterprises-DoD Contracts	SEP 2001
252.227-7033	Rights in Shop Drawings	APR 1966
252.236-7000	Modification Proposals-Price Breakdown	DEC 1991
252.236-7002	Obstruction of Navigable Waterways	DEC 1991
252.236-7004	Payment for Mobilization and Demobilization	DEC 1991
252.236-7008	Contract Prices-Bidding Schedules	DEC 1991
252.243-7001	Pricing Of Contract Modifications	DEC 1991
252.243-7002	Requests for Equitable Adjustment	MAR 1998
252.247-7023	Transportation of Supplies by Sea	MAR 2000
252.247-7024	Notification Of Transportation Of Supplies By Sea	MAR 2000

#### CLAUSES INCORPORATED BY FULL TEXT

##### 52.204-1 APPROVAL OF CONTRACT (DEC 1989)

This contract is subject to the written approval of Contracting Officer and shall not be binding until so approved.

(End of clause)

##### 52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (APR 1984)

The Contractor shall be required to (a) commence work under this contract within **five (5)** calendar days after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than **thirty (30) calendar days after receipt of Notice to Proceed. This shall include** final cleanup of the premises.

(End of clause)

##### 52.211-12 LIQUIDATED DAMAGES--CONSTRUCTION (SEP 2000)

(a) If the Contractor fails to complete the work within the time specified in the contract, the Contractor shall pay liquidated damages to the Government in the amount of \$1,435.00 for each calendar day of delay until the work is completed or accepted.

(b) If the Government terminates the Contractor's right to proceed, liquidated damages will continue to accrue until the work is completed. These liquidated damages are in addition to excess costs of repurchase under the Termination clause.

(End of clause)

##### 52.228-1 BID GUARANTEE (SEP 1996)

(a) Failure to furnish a bid guarantee in the proper form and amount, by the time set for opening of bids, may be cause for rejection of the bid.

(b) The bidder shall furnish a bid guarantee in the form of a firm commitment, e.g., bid bond supported by good and sufficient surety or sureties acceptable to the Government, postal money order, certified check, cashier's check, irrevocable letter of credit, or, under Treasury Department regulations, certain bonds or notes of the United States. The Contracting Officer will return bid guarantees, other than bid bonds, (1) to unsuccessful bidders as soon as practicable after the opening of bids, and (2) to the successful bidder upon execution of contractual documents and

GENERAL DECISION **NY020003** 03/22/2002 NY3

Date: March 22, 2002

General Decision Number **NY020003 sg**

Superseded General Decision No. NY010003

State: New York

Construction Type:

BUILDING

HEAVY

HIGHWAY

RESIDENTIAL

County(ies):

BRONX

NEW YORK

RICHMOND

KINGS

QUEENS

BUILDING & RESIDENTIAL CONSTRUCTION PROJECTS (includes single family homes and apartments up to and including 4 stories), HEAVY AND HIGHWAY CONSTRUCTION PROJECTS

Modification Number      Publication Date

0              03/01/2002

1              03/08/2002

2              03/22/2002

COUNTY(ies):

BRONX

NEW YORK

RICHMOND

KINGS

QUEENS

ASBE0012A 07/01/2001

Rates              Fringes

ASBESTOS/INSULATOR WORKERS:

SCOPE OF WORK:

includes application of all

insulating materials, protective

coverings, coatings and finishing

to all types of mechanical

systems.

35.63

20.49

BOIL0005A 09/01/2000

Rates              Fringes

BOILERMAKER

\$34.92

20.73+a

FOOTNOTE:

a. PAID HOLIDAYS: New Years Day, Thanksgiving Day, Memorial Day, Independence Day, Labor Day and Good Friday, Friday after Thanksgiving, Christmas Eve Day and New Years Eve

BRNY0001A 07/01/2001

	Rates	Fringes	
BRICKLAYERS	36.22	15.56	
STONEMASONS	30.69	17.90	

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BRNY0001B 07/01/2001

	Rates	Fringes	
POINTERS, CLEANERS & CAULKERS	32.25	12.65	

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BRNY0003A 01/01/2002

	Rates	Fringes	
TERRAZZO WORKERS	36.73	14.60	
TERRAZZO FINISHERS	30.07	14.60	

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BRNY0004A 01/01/2000

	Rates	Fringes	
MARBLE SETTERS	28.72	15.65	

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BRNY0020A 01/01/2000

	Rates	Fringes	
MARBLE FINISHERS	23.69	16.83	

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BRNY0024A 01/01/2000

	Rates	Fringes	
MARBLE POLISHERS	29.90	12.38	

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BRNY0052A 11/05/2001

	Rates	Fringes	
TILE LAYERS	32.97	17.06	

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BRNY0088A 12/03/2001

	Rates	Fringes	
TILE FINISHERS	27.57	14.25	

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CARP0001Y 01/01/2002

	Rates	Fringes	
CARPENTERS:			
Carpenters & Soft floor			
layers	35.09	23.64	

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CARP0740A 01/01/2002

	Rates	Fringes	
MILLWRIGHTS	35.21	25.96	

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CARP1456E 07/01/2001

	Rates	Fringes	
DOCKBUILDERS		33.48	23.64

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CARP1456F 07/01/2001

	Rates	Fringes	
DIVERS	41.17		23.64
DIVER TENDERS		30.39	23.64

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CARP1536A 07/01/2001

	Rates	Fringes	
TIMBERMEN		30.59	23.64

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ELEC0003A 05/10/2001

	Rates	Fringes	
ELECTRICIANS		37.00	26.76
Jobbing, and maintenance and repair work	21.50		9.94+a

PAID HOLIDAYS:

a. New Years Day, Washington's Birthday, Memorial Day,  
Independence Day, Labor Day, Columbus Day, Election Day,  
Thanksgiving Day, the day after Thanksgiving Day, and Christmas

Day

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ELEC1049A 10/01/2000

	Rates	Fringes	
QUEENS COUNTY			

LINE CONSTRUCTION:

Substation and Switching  
structures pipe type cable  
installation and maintenance jobs  
or projects; Railroad electrical  
distribution/transmission systems  
maintenance (when work is not  
performed by railroad employees)  
Overhead and Underground transmission/  
distribution line work. Fiber optic,  
telephone cable and equipment  
Lineman and Cable Splicer; 31.45 8.31  
Heavy Equipment Operator; 23.33 6.99  
Groundman 17.50 6.08

Tree Trimmer	19.99	6.50
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ELEV0001B 07/01/1998

	Rates	Fringes	
ELEVATOR MECHANICS (New Construction)	34.415		10.805+a

ELEVATOR MECHANICS (Modernization and Repair)	28.576	10.655+a
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FOOTNOTE:

- a. PAID HOLIDAYS: New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.  
 PAID VACATION: Employer contributes 8% of regular basic hourly rate as vacation pay for employees with more than 5 years of service, and 6% for employees with less than 5 years of service

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ENGI0014B 07/01/2000

	Rates	Fringes
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POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY):

GROUP 1	45.17	16.95+a
GROUP 2	37.17	16.95+a
GROUP 3	37.43	16.95+a
GROUP 4	36.53	16.95+a
GROUP 5	35.80	16.95+a
GROUP 6	34.75	16.95+a
GROUP 7	34.98	16.95+a
GROUP 8	33.94	16.95+a
GROUP 9	33.19	16.95+a
GROUP 10	33.08	16.95+a
GROUP 11	30.37	16.95+a
GROUP 12	31.04	16.95+a
GROUP 13	30.88	16.95+a
GROUP 14	23.13	16.95+a
GROUP 15	21.73	16.95+a

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Tower crane

GROUP 2: Backhoes, power shovel, Hydraulic clam shells, moles and machines of a similar type

GROUP 3: Mine hoists and crane, etc. used as mine hoists

GROUP 4: Gradalls, keystones, cranes (with digging buckets), bridge cranes, trenching machines, vermeer cutter and machines of a similar nature

GROUP 5: Piledrivers, derrick boats, tunnel shovels

GROUP 6: Raise bore drill, and machines of a similar nature

GROUP 7: Back filling machines, cranes, mucking machines, dual drum pavers



GROUP 8: Mixers (concrete w/loading attachments), concrete pavers, cableways, land derricks, power house (low pressure units), concrete pumps

GROUP 9: Concrete plants, well drilling machines, stone crushers double drum hoist, power house (other than above)

GROUP 10: Concrete mixers

GROUP 11: Elevators

GROUP 12: Concrete breaking machine, Hoists (single drum), load masters, locomotive and dinkies over 10 tons,

GROUP 13: Vibratory console

GROUP 14: Compressors (portable 3 or more in battery), tugger machine (caissons) well point pumps, chum drill

GROUP 15: Boilers, (high pressure, compressors (portable, single, or 2 in battery, not over 100' apart), pumps (river cofferdam and welding machines (except where arc is operated by members of local 15) push button machines, all engines irrespective of power (power pac) used to drive auxilliary equipment, air, hydraulic etc.

PREMIUMS ON CRANES (Crawler or Truck):

100' to 149' boom - add .50  
150' to 249' boom - add .75  
250' to 349' boom - add 1.00  
350' to 450' boom - add 1.50

UTILITY CONSTRUCTION:

Utility compressors	20.65	16.95+a
Off shift compressors	26.43	16.95+a
Horizontal boring rig	31.70	16.95+a

PAVING CONSTRUCTION:

Asphalt spreader	32.99	16.95+a
Asphalt roller	32.08	16.95+a
Asphalt plants	27.63	16.95+a

STEEL ERECTION:

Three drum derricks	41.07	16.95+a
Cranes, Hydraulic Cranes, 2 drum derricks, Forklifts, Boom Trucks	39.41	16.95+a
Compressors, Welding Machines	27.91	16.95+a

Premiums for Cranes on Steel Erection:

100' to 149' boom - add 1.75  
150' to 249' boom - add 2.00  
250' to 349' boom - add 2.25  
350' to 450' boom - add 2.75  
Tower crane - add 2.00

FOOTNOTE:

a. Paid Holidays: New Year's Day; Lincoln's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Veterans Day; Columbus Day; Election Day; Thanksgiving Day; and Christmas Day; provided the employee works one day the payroll week in which the holiday occurs.

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ENGI0014C 08/01/1999

	Rates	Fringes
POWER EQUIPMENT OPERATORS (BUILDING & RESIDENTIAL):		

GROUP 1	37.46	16.95+a
GROUP 2	37.08	16.95+a
GROUP 3	35.51	16.95+a
GROUP 4	34.96	16.95+a
GROUP 5	28.05	16.95+a

POWER EQUIPMENT OPERATORS CLASSIFICATIONS

GROUP 1: Double drum

GROUP 2: Stone derrick, cranes, hydraulic cranes, boom trucks

GROUP 3: 4 pole Hoist, Single Drum Hoists

GROUP 4: Fork lift, house cars, plaster (platform machine), plaster bucket, concrete pump and all other equipment used for hoisting material

GROUP 5: Compressors, welding machines (cutting concrete work), paint spraying, sand blasting, pumps (with the exclusion of concrete pumps), house car (settlement basis only), all engines irrespective of power (power pac) used to drive auxiliary equipment, air, hydraulic, etc., boilers

Premiums for Cranes:

100'-149' boom - add 1.75  
150'-249' boom - add 2.00  
250'-349' boom - add 2.25  
350'-450' boom - add 2.75  
Tower cranes add 2.00

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Lincoln's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Columbus Day, Election Day, Thanksgiving Day, and Christmas Day, provided the employee works one day in the payroll week in which the holiday occurs

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IRON0040P 01/01/2002

	Rates	Fringes
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BRONX, NEW YORK, RICHMOND

IRONWORKERS (STRUCTURAL)	34.30	33.73
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IRON0046C 07/01/2001

	Rates	Fringes	
IRONWORKERS (METALLIC LATHERS)	36.50		21.42

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IRON0197A 01/01/2002

	Rates	Fringes	
IRONWORKERS (STONE DERRICKMAN)	34.46		26.46

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IRON0361P 01/01/2002

	Rates	Fringes	
KINGS, QUEENS			
IRONWORKERS (STRUCTURAL)	34.30		33.73

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IRON0580A 01/01/2002

	Rates	Fringes	
IRONWORKERS (ORNAMENTAL)	33.65		26.40

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LABO0006A 07/01/2001

	Rates	Fringes	
BUILDING CONSTRUCTION			

LABORERS:

CEMENT AND CONCRETE WORKERS	29.50		13.32
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LABO0029A 07/01/2001

	Rates	Fringes	
LABORERS: (Heavy)			

Blasters	31.53		16.70
Blasters (hydraulic trac drill)	32.08		16.70
Hydraulic Trac Drill	28.38		16.70
Wagon; Airtrac; Quarry Bar			
Drill Runners	27.83		16.70
Jackhammers, Chippers, Spaders,			
Concrete Breakers, All			
Other Pneumatic Tools, Walk			
Behind Self-Propelled Hydraulic			
Asphalt and Concrete Breaker	27.14		16.70
Powder Carriers	24.50		16.70

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\* LABO0078A 12/01/2001

	Rates	Fringes	
ASBESTOS (Removal, Abatement,			

Encapsulation or Decontamination  
of asbestos); LEAD; & HAZARDOUS  
WASTE LABORERS (Hazardous Waste,  
Hazardous Materials, Biochemical  
and Mold Remediation, HVAC,  
Duct Cleaning, Re-spray  
Fireproofing, etc. 23.15 6.05

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LABO0079A 01/01/2001

Rates Fringes  
LABORERS: (Building)

Mason Tenders	25.55	13.19
Demolition Laborers		
Tier A	26.55	12.99
Tier B	16.25	6.40

#### CLASSIFICATIONS

TIER A: Responsible for the removal of all interior partitions  
and structural partitions that can consist of sheet rock, block or  
masonry. Also, all structural slab openings for ducts,  
mechanical, shafts, elevators, slab openings and exterior walls  
where the building is not being completely demolished.

TIER B: Responsible for shoveling of debris into containers,  
pushing containers from the inside to the outside of the  
building.

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LABO0147A 07/01/2000

Rates Fringes  
LABORERS

#### FREE AIR TUNNEL WORKERS

Tunnel Workers (including Maintenance Men, Inside Muck Lock  
Tenders, Pump Men Electricians, Cement Finishers, Caulkers,  
Hydraulic Men, Shield Men, Monorail Operators, Motor Men,  
Conveyor Men, Powder Carriers, Pan Men, Riggers, Chuck Tenders,  
Track Men Painters, Nippers, Brakemen, Cable Men, Hose Men, Grout  
Men, Gravel Men, Form Workers, Concrete Workers, Tunnel Laborers,  
Mole Nipper (one (1) Mole Sipper per Working Shaft per Shift for  
up to and including Two (2) Moles)

LABORERS	26.31	13.06
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LABO0731A 07/01/2001

Rates Fringes  
LABORERS: (Building,  
Heavy and Residential):

UNSKILLED	28.74	14.64
UTILITY LABORER	28.59	14.64

Paid Holidays:  
Labor Day and Thanksgiving Day

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LABO1010A 07/01/2001

	Rates	Fringes
LABORERS HIGHWAY CONSTRUCTION:		

FORMSETTERS	32.04	15.55+a
LABORERS	28.94	15.55+a
Landscape Planting & Maintenance	28.84	15.55+a
Fence Installer & Repairer	28.84	15.55+a
Slurry/Sealcoater/Play Equipment		
Installer	28.69	15.55+a
Maintenance Safety Surface	28.44	15.55+a
Small Power Tools Operator	28.44	15.55+a
Small Equipment Operator (Not		
Operating Engineer)	28.94	15.55+a

FOOTNOTES:

a. PAID HOLIDAYS: Memorial Day, Fourth of July, Labor Day, Columbus Day, Election Day and Thanksgiving Day, provided the employee has worked one (1) day in the calendar week in which the said holiday occurs.

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LABO1018A 07/01/2001

	Rates	Fringes
LABORERS:		
Asphalt Rakers	32.36	15.55+a
Asphalt Tampers	29.92	15.55+a
Screedman/Micropaver	32.73	15.55+a
Landscape Planting & Maintenance		
Fence Installer/Maintenance	29.81	15.55+a
Play Equipment/Safety Surface		
Installer	29.31	15.55+a
Slurry/Sealcoater	29.31	15.55+a
Shoveler, General Laborers/		
All other incidental work	29.81	15.55+a
Line Striping Installers	29.56	15.55+a
Small Equipment Operator	29.56	15.55+a

FOOTNOTE:

a. Paid Holidays: Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans Day, and Thanksgiving Day

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PAIN0009B 05/01/2001

	Rates	Fringes
PAINTERS		
Painters, Drywall Finishers, Lead		
Abatement Worker (Bridge Work)	29.25	14.45

Spray, Scaffold and Sandblasting	32.25	14.45
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GLAZIERS	30.75	19.20
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All repair and maintenance work on a particular building,  
whenever performed, where the total cumulative contract value is  
under \$100,000.00

GLAZIERS	18.05	9.19
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PAIN0806A 10/01/2001

	Rates	Fringes
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PAINTERS:  
Structural steel  
and Bridge

37.00	21.26
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PAIN1974A 01/02/2002

	Rates	Fringes
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DRYWALL TAPERS/POINTERS

33.82
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PLAS0260A 07/01/1999

	Rates	Fringes
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BRONX, NEW YORK AND RICHMOND  
COUNTIES:

PLASTERERS	27.91	15.55
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PLAS0260B 07/01/1999

	Rates	Fringes
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KINGS AND QUEENS COUNTIES

PLASTERERS	27.91	15.16
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PLAS0530A 02/06/2002

	Rates	Fringes
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DRYWALL PLASTERERS

28.50	14.67
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PLAS0780A 07/01/2001

	Rates	Fringes
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CEMENT MASONS

36.00	15.34
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PLUM0001K 01/01/2001

	Rates	Fringes
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PLUMBERS:

39.16	20.38
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JOBGING AND ALTERATIONS

Any repair and or replacement  
of the present plumbing

system that does not change  
the existing roughing            20.97            7.43

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PLUM0638A 06/27/2001

	Rates	Fringes
SPRINKLER FITTERS, STEAMFITTERS	35.77	23.62
SERVICE FITTERS	21.45	5.31

Service Fitter work shall consist of all repair, service and maintenance work on domestic, commercial and industrial refrigeration, air conditioning and air cooling, stoker and oil burner apparatus and heating apparatus etc., including but not exclusively the charging, evacuation, leak testing and assembling for all machines for domestic, commercial and industrial refrigeration, air conditioning and heating apparatus. Also, work shall include adjusting, including capacity adjustments, checking and repairing or replacement of all controls and start up of all machines and repairing all defects that may develop on any system for domestic, commercial and industrial refrigeration and all air conditioning, air cooling, stoker and oil burner apparatus and heating apparatus regardless of size or type.

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ROOF0008C 07/01/2001

	Rates	Fringes
ROOFERS	29.08	18.78

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SHEE0028B 01/31/2002

	Rates	Fringes
SHEET METAL WORKERS	36.17	23.53

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TEAM0282B 07/01/2001

	Rates	Fringes
TRUCK DRIVERS:		
Asphalt	29.40	19.2025+a+b
High Rise	28.96	15.95+a+b
Euclids & Turnapulls	26.79	15.9525+a+b

FOOTNOTES:

PAID HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day (Armistice Day), Thanksgiving Day and Christmas Day. Employees working two (2) days in the calendar week in which a holiday falls are to be paid for such holiday, provided that they shape each remaining workday during such calendar week.

b. VACATION: For each 15 days worked within the contract year an

employee will receive one day's vacation with pay with a maximum vacation of 3 weeks per year.

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TEAM0813A 12/01/1998

Rates                      Fringes  
TRUCKDRIVERS:

GROUP 1	19.49	3.61+a
GROUP 2	19.76	3.61+a
GROUP 3	19.90	3.61+a
GROUP 4	20.23	3.61+a
GROUP 5	20.40	3.61+a
GROUP 6	21.29	3.61+a
GROUP 7	22.40	3.61+a
GROUP 8	19.90	3.61+a

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr.'s Birthday, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day, Christmas Day, Employee's Birthday, Two(2) Personal Days, and any holiday or day of mourning proclaimed as such by the State or Federal Government.

TRUCK DRIVER CLASSIFICATIONS

GROUP 1: Closed body trucks with self contained loading unit up to and including 22 yard capacity.

GROUP 2: Open trucks, rack body or trucks with no self contained mechanical loading device, up to 22 yard capacity. One-container tractor hoist

GROUP 3: 10 wheel, open trucks, container loaders, dino-master, over-cab loaders, rack body trucks, or any trucks 22 yards to and including 25 yards capacity.

GROUP 4: Rubbish and garbage trucks, 26 yards to and including 31 yards.

GROUP 5: Single axle working non-compactor containers up to 15 yards capacity on rubbish and garbage removal.

GROUP 6: Roll-off trucks up to and including 42 yard capacity.

GROUP 7: Roll-off truck with more than 42 yard capacity or any tractor trailer trucks.

GROUP 8: One-container tractor hoist on construction and alteration debris removal.

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.



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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(v)).

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In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests

for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment

data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

4.) All decisions by the Administrative Review Board are final.

guidelines and locations attached to these specifications, and any future updates when provided by USACE, particularly at the pre-construction meeting. The coordinates of the exact location of the grid at the HARS for the placement of dredged material from this project will be provided during the pre-construction meeting. The contractor will only be paid for dredged material placed within the designated grid at the HARS.

a. The HARS is located 34.00 nautical miles from the extreme limit of the dredging site.

b. Dredged material placement activities are to be carried out in conformity with the goals, objectives, and requirements of the EPA Criteria established pursuant to Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as published in 40 CFR 220-228.

**8.2** All of the provisions, guidelines, requirements, and instructions (PGRIs) in this section of the contract specification must be completed/complied with before any dredged material may be placed in a scow, and before any dredged material may be placed at the HARS. Any navigation hazard created by misplaced dredged material will be the sole liability of the dredging contractor. The contractor will be required to remove any navigation hazard created by misplaced dredge material. For example, dredged material placed in a navigation channel, resulting in a mound or causing an area of shallower water within the channel that interferes with navigation, must be removed by the contractor at the contractor's expense.

**8.3 Personnel Notification:** Section 8 of the contract specification must be provided to all contractor personnel working on any aspect of open-water placement of dredged material associated with this project, including personnel loading scows at the dredging site, personnel working on scows at the dredge site, personnel onboard towing vessels at the dredging site or while towing scows, including USACE certified Inspectors of Open Water Disposal of Dredged Material (Corps Disposal Inspectors (CDIs)), and personnel aboard scows being towed. All personnel associated with loading of scows, transportation of dredged material, and placement of dredged material must be familiar with the guidelines and requirements

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

<b>DEC PERMIT NUMBER</b> 2-6007-00136/00003
<b>FACILITY/PROGRAM NUMBER(S)</b> East River, South Brother Island Channel Maintenance Dredging



**PERMIT**  
Under the Environmental  
Conservation Law (ECL)

<b>EFFECTIVE DATE</b> March 28, 2002
<b>EXPIRATION DATE(S)</b> March 27, 2007

<b>TYPE OF PERMIT</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Modification <input type="checkbox"/> Permit to Construct <input type="checkbox"/> Permit to Operate		
<input type="checkbox"/> Article 15, Title 5: Protection of Waters	<input checked="" type="checkbox"/> 6NYCRR 608: Water Quality Certification	<input type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management
<input type="checkbox"/> Article 15, Title 15: Water Supply	<input type="checkbox"/> Article 17, Titles 7, 8: SPDES	<input type="checkbox"/> Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
<input type="checkbox"/> Article 15, Title 15: Water Transport	<input type="checkbox"/> Article 19: Air Pollution Control	<input type="checkbox"/> Article 34: Coastal Erosion Management
<input type="checkbox"/> Article 15, Title 15: Long Island Wells	<input type="checkbox"/> Article 24: Freshwater Wetlands	<input type="checkbox"/> Article 36: Floodplain Management
	<input type="checkbox"/> Article 25: Tidal Wetlands	

<b>PERMIT ISSUED TO</b> Department of the Army, New York District Corps of Engineers		<b>TELEPHONE NUMBER</b> (718) 760-6617	
<b>ADDRESS OF PERMITTEE</b> Jacob K. Javits Federal Building, New York, NY 10278-0090			
<b>CONTACT PERSON FOR PERMITTED WORK</b> Habib Soltani - Project Manager		<b>TELEPHONE NUMBER</b> (212) 264-9030	
<b>NAME AND ADDRESS OF PROJECT/FACILITY</b> East River, South Brother Island Channel			
<b>LOCATION OF PROJECT/FACILITY</b> The channel starts just outside of Luysler's Creek (west of the Bowery Bay Water Pollution Control Plant) and proceeds north between South Brother's Island and Riker's Island for a distance of approximately 1.3 miles.			
<b>COUNTY</b> Queens	<b>CITY</b> Astoria, Queens, NYC	<b>WATERCOURSE</b> East River	<b>NYTM COORDINATES</b> E 593.0 N 4516.7
<b>DESCRIPTION OF AUTHORIZED ACTIVITY:</b> <ul style="list-style-type: none"> <li>Dredge 245,000 cys from the South Brothers Island Channel in the East River, New York, Federal Navigational Channel. <ul style="list-style-type: none"> <li>Area to be dredged extends from the turning basin just north of Luysler Creek and extends for approximately 1.3 miles north between South Brother's Island and Riker's Island to the junction with the main federal navigation channel.</li> <li>Only the shoaled areas depicted on the attached Map No.1 are permitted to be dredged.</li> <li>The channel is 400' wide and will be dredged to a depth of -35 feet Mean Low Water with an overdepth of -2 feet.</li> </ul> </li> <li>The dredged material is to be placed at the Historic Area Remediation Site using the bottom dumping process in Area Number 4 at 40°22.940'N, 73°51.789'W (attached Map No. 2)</li> </ul>			

By acceptance of this permit, the Permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (see page 2) and any Special Conditions included as part of this permit.

<b>REGIONAL PERMIT ADMINISTRATOR:</b> John F. Cryan	<b>ADDRESS</b> 47-40 21 Street Long Island City, NY 11101		
<b>AUTHORIZED SIGNATURE</b> Harold J. Dickey for John F. Cryan 		<b>DATE</b> March 28, 2002	<b>Page 1 of 4</b>

00900-D-1

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages and costs, direct or indirect, of whatever nature and by whomsoever suffered, for liability it incurs resulting from activity conducted pursuant to this permit or in noncompliance with this permit and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from such activity.

**Item B: Permittee to Require its Contractors to Comply with Permit**

The permittee shall require its independent contractors, employees, agents and assigns to read, understand and comply with this permit, including all special conditions, and such persons shall be subject to the same sanctions for violations of this permit as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required for this project.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS**General Condition #1: Facility Inspection by the Department**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when written or verbal notification is provided by the Department at least 24 hours prior to such inspection.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**General Condition #2: Relationship of this Permit to Other Department Orders and Determinations**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**General Condition #3: Request for Permit Renewals or Modifications**

The permittee must submit a separate written request to the Department for renewal, modification or transfer of this permit. Such request must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal request at least:

- a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
- b) 30 days before expiration of all other permit types.

Request for permit renewal or modification are to be submitted to:

NYSDEC, Regional Permit Administrator, Region 2 47-40 21<sup>ST</sup> Street, Long Island City, NY 11101

**General Condition #4: Permit Modifications, Suspensions and Revocations by the Department**

The Department reserves the right to modify, suspend or revoke this permit when:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

DEC PERMIT NUMBER	PROGRAM/FACILITY NUMBER	
2-8007-00136/00003	East River, South Brother Island Channel Maintenance Dredging	PAGE 2 OF 4

00900-D-2

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

ADDITIONAL GENERAL CONDITIONS FOR ARTICLES 15, 17, 24, 25, and 6 NYCRR Part 608**General Condition #5:**

That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

**General Condition #6:**

That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

**General Condition #7:**

Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services, or local government which may be required.

**General Condition #8:**

All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate, or any other environmentally deleterious materials associated with the project.

**General Condition #9:**

Any material dredged in the conduct of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.

**General Condition #10:**

There shall be no unreasonable interference with navigation by the work herein authorized.

**General Condition #11:**

If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

**General Condition #12:**

If granted under Article 36, this permit does not signify in any way that the project will be free from flooding.

**General Condition #13:**

If granted under 6 NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306, and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

DEC PERMIT NUMBER  
2-8007-00138/00003

PROGRAM/FACILITY NUMBER  
East River, South Brother Island Channel Maintenance Dredging

PAGE 3 OF 4

00900-D-3



## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPECIAL CONDITIONS for DEC Permit No. 2-6007-00136/00003**Special Condition #1:**

Dredging and construction must be performed according to the following documents:

- 1: US Army Corps of Engineers Public Notice # South Brother Island, East River Q1', published November 30, 2001 and received by the Department on December 6, 2001.
- 2: Bathymetric survey and Sediment chemistry data received by the Department on February 21, 2002.
- 3: Map of the shoaled areas to be dredged submitted to the Department on February 21, 2002 and attached hereto as Map No. 1.

**Special Condition #2:**

A bathymetric survey (no more than 6 months old) must be provided to DEC at least sixty (60) days prior to the anticipated dredging start date. A post dredge survey must be submitted to DEC within ninety (90) days of the completion of dredging.

**Special Condition #3:**

A certified Army Corps of Engineers inspector must monitor project operations regularly, and is responsible for ensuring that the project is being conducted in compliance with Special Condition 4 of this Water Quality Certificate.

**Special Condition #4:**

Dredging is prohibited between 01 July and 31 September to reduce the potential for adverse impacts regarding seasonal hypoxic conditions in the area.

**Special Condition #5:**

An 'environmental bucket' is required. Drawings and performance specifications of the environmental bucket must be provided to the Department 15 days prior to the anticipated start date of dredging.

a. The following bucket specifications are required:

- i. The bucket must be constructed with sealing gaskets or overlapping sealed design at the jaws, and seals or flaps positioned at locations of vent openings to minimize the loss of material during transport through the water column and into the barge.
- ii. Any seals or flaps designed and/or installed at the jaws and locations of vent openings must tightly cover these openings while the bucket is lifted through the water column and into the barge. If excessive loss of water and/or sediments from the bucket is observed from the time of its breaking the water surface to crossing the barge gunwale, the inspector must halt dredging operations and inspect the bucket for defects. Operations must be suspended until all necessary repairs or replacements are made.

b. Bucket hoist speed must be limited to approximately 2 feet per second. The bucket must be lifted in a continuous motion through the water column and into the barge.

c. The bucket must be lowered to the level of the barge gunwales prior to the release of load.

**Special Condition #6:**

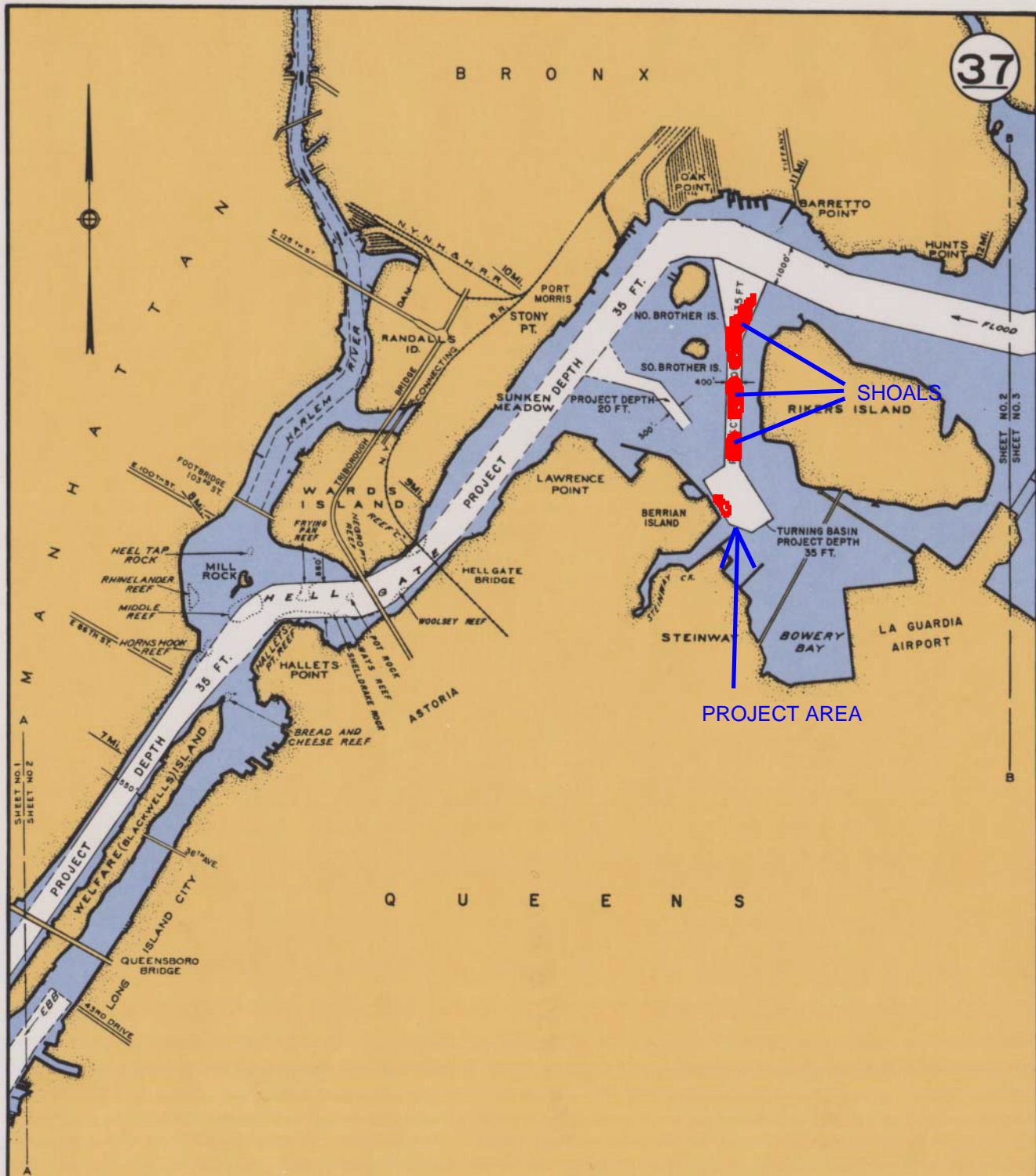
There must be no barge overflow.

**Special Condition #7:**

The attached "Notice of Intent to Commence Work" form and "Notice of Completion of Work" form must be completed and submitted to the Department as indicated on each form.

DEC PERMIT NUMBER 2-6007-00136/00003	PROGRAM/FACILITY NUMBER East River, South Brother Island Channel Maintenance Dredging	PAGE <u>4</u> OF <u>4</u>
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00900-D-4



#### DATUM PLANES

M.L.W. (QUEENSBORO BR. TO E. 86TH ST.)	= 2.22 FT. BELOW M.S.L.
M.L.W. (HALLETS POINT)	= 2.38 FT. BELOW M.S.L.
M.L.W. (RHINELANDER REEF)	= 2.14 FT. BELOW M.S.L.
M.L.W. (MIDDLE REEF)	= 2.52 FT. BELOW M.S.L.
M.L.W. (LAWRENCE PT TO BARRETTO PT.)	= 3.01 FT. BELOW M.S.L.
M.L.W. (LITTLE HELLGATE AND BRONX (HARLEM) KILLS)	= 2.38 FT. BELOW M.S.L.
M.L.W. (PORT MORRIS)	= 2.74 FT. BELOW M.S.L.

#### EAST RIVER, NEW YORK

30 SEPTEMBER 1986

SCALE OF FEET

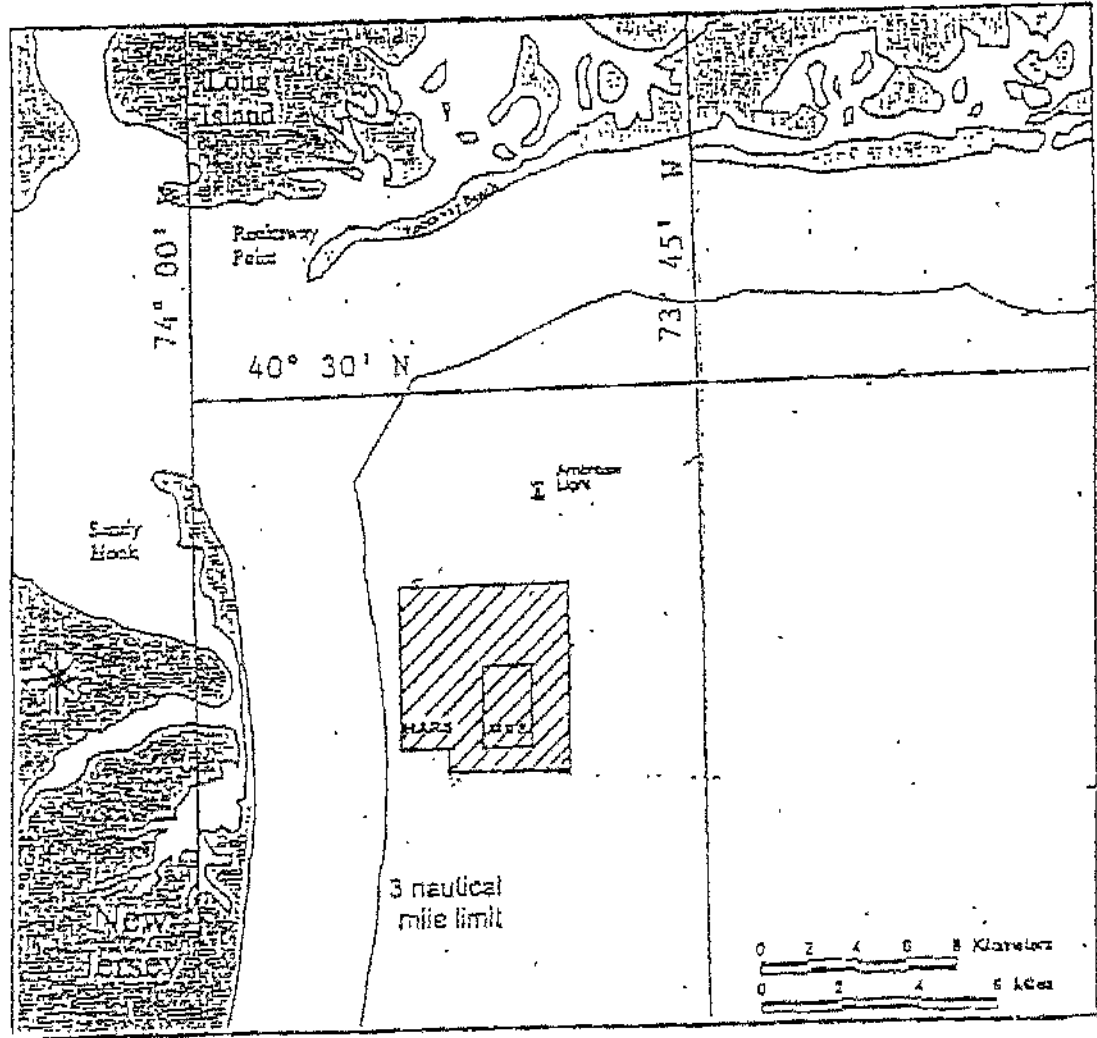
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DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
NEW YORK, NEW YORK

(SHEET NO. 2 OF 3 SHEETS)

00900-D-5 MAP NO. 1





/// HARS PLACEMENT SITE

**NOTICE OF INTENT TO COMMENCE WORK**

*This completed form must be submitted to the Department no less than five business days prior to the commencement of the subject dredging*

Date: \_\_\_\_\_

New York State  
Department of Environmental Conservation  
Division of Environmental Permits  
47-40 21st Street  
Long Island City, NY 11101  
Attn: Kathryn D. McGuckin Fax: 718-482-4975

Re: DEC Permit No. 2-6007-00136/00003  
East River, South Brother Island Channel Maintenance Dredging

Dear Ms. McGuckin:

I hereby serve notice to commence/recommence work on the referenced project on or about \_\_\_\_\_, 2002.

The quantity of material to be dredged is estimated to be \_\_\_\_\_ cys.

This is also to certify that having read the permit, in entirety, I am fully aware of and understand the general and special conditions and agree to comply in all respects to those requirements. I further understand that prior to undertaking any modification to the authorized project, I must seek and receive approval of the Regional Permit Administrator.

Very truly yours,

\_\_\_\_\_  
Signature of the Permittee

\_\_\_\_\_  
Signature of the Contractor (If any)

\_\_\_\_\_  
Permittee's Name (Printed)

\_\_\_\_\_  
Contractor's Name (Printed)

\_\_\_\_\_  
Permittee's Address:

\_\_\_\_\_  
Contractor's Address:

\_\_\_\_\_  
Telephone #

\_\_\_\_\_  
Telephone #

**NOTICE**

*The permittee and his contractor (if any) are required to follow all permit conditions. Violations of the permit may lead to legal action, including the imposition of substantial monetary fines and corrective work.*

00900-D-7

**NOTICE OF COMPLETION OF WORK**

*This completed form must be submitted to the Department no less than five business days after completion of the subject dredging.*

Date: \_\_\_\_\_

New York State  
Department of Environmental Conservation  
Division of Environmental Permits  
47-40 21st Street  
Long Island City, NY 11101  
Attn: Kathryn D. McGuckin FAX: 718-482-4875

Re: **DEC Permit No. 2-6007-00136/00003**  
**East River, South Brother Island Channel Maintenance Dredging**

Dear Ms. McGuckin:

I hereby serve notice that all work allowed by the above referenced permit has been completed as of \_\_\_\_\_, 2002.

The actual quantity of material dredged was \_\_\_\_\_ cys. The dredged material was taken to:

1. \_\_\_\_\_ cys was taken to the Historic Area Remediation Site.
2. \_\_\_\_\_ cys used on site as per NYS DEC BUD # \_\_\_\_\_
3. \_\_\_\_\_ cys was taken to \_\_\_\_\_ for processing and beneficial reuse.
4. \_\_\_\_\_ cys was taken to \_\_\_\_\_ for disposal.

Very truly yours,

\_\_\_\_\_  
Signature of the Permittee

\_\_\_\_\_  
Signature of the Contractor (if any)

\_\_\_\_\_  
Permittee's Name (Printed)

\_\_\_\_\_  
Contractor's Name (Printed)

\_\_\_\_\_  
Permittee's Address:

\_\_\_\_\_  
Contractor's Address:

\_\_\_\_\_  
Telephone #

\_\_\_\_\_  
Telephone #

00900-D-8